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U.S. Department of Justice
Community Relations Service

Community Relations Service

Annual Report 1980

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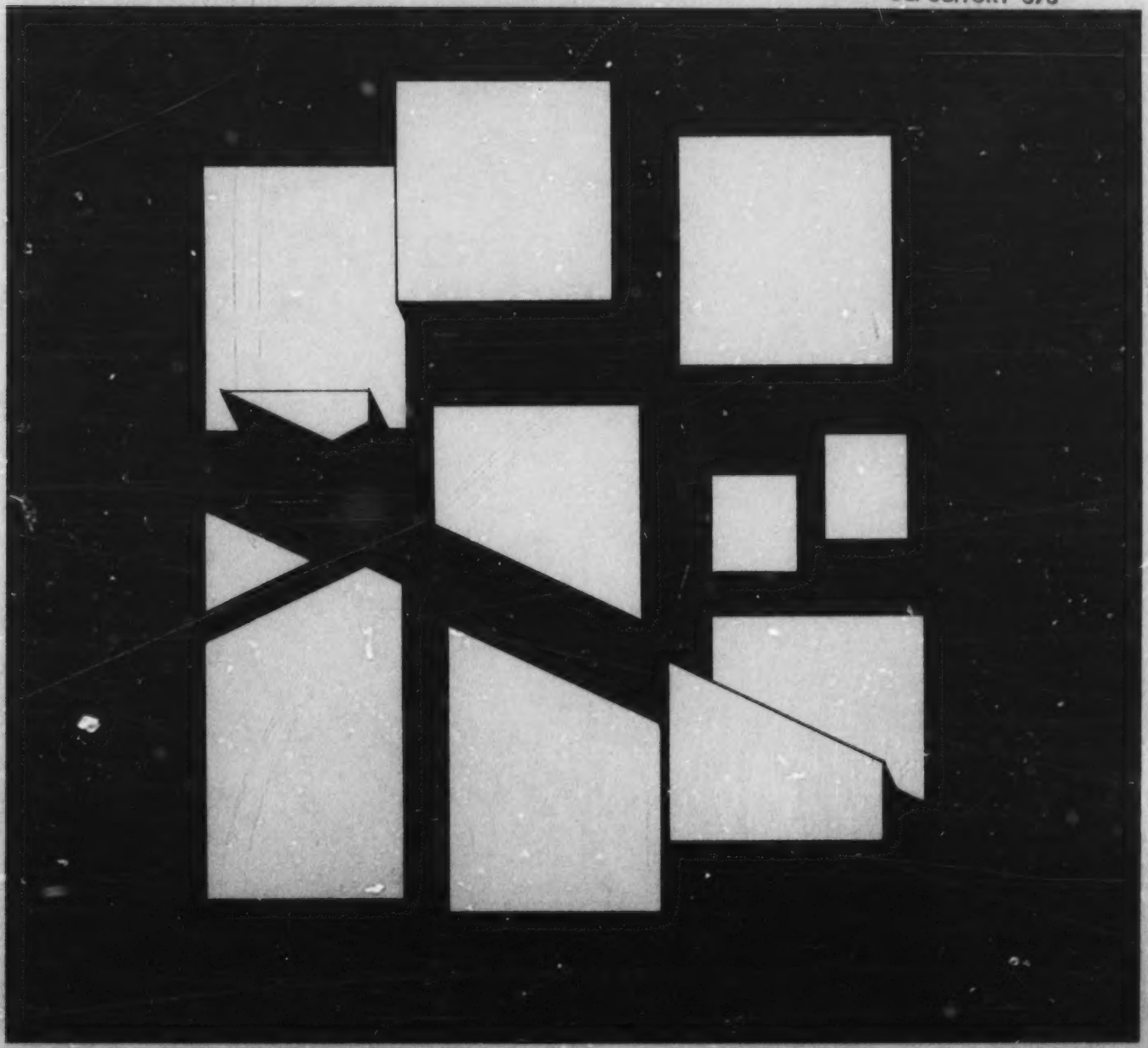

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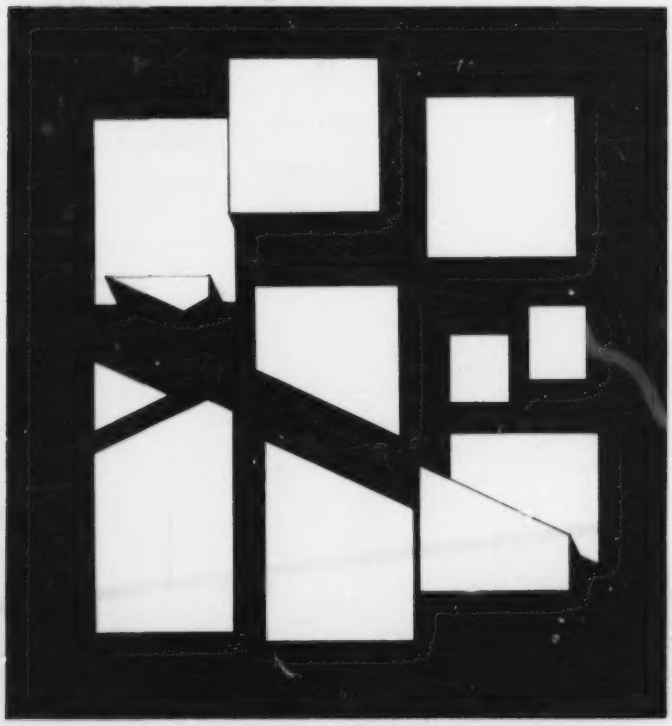

United States Department of Justice

COMMUNITY RELATIONS SERVICE
WASHINGTON, D.C. 20530

DIRECTOR

JUL 23 1981

To the Senate and House of Representatives of the
United States of America in Congress assembled:

I am transmitting herewith a report of the activities of the Community Relations Service, U. S. Department of Justice, for Fiscal Year 1979, as required by Section 1004 of the Civil Rights Act of 1964 (P.L. 88-352) and by Reorganization Plan No. 1 of 1966, as revised by 28 CFR 0.30(b).

I hope the report will provide insight into the activities of the agency and help Members of Congress to assess the Community Relations Service's performance as was mandated by the Congress.

Respectfully submitted,

Gilbert G. Pompa

Foreword

The Community Relations Service's (CRS) first annual report to Congress in 1965 reported the agency helped to resolve 213 complaints. This Fiscal Year 1980 report, CRS' 15th, reports the agency received 1,404 complaints to racial trouble, a 6.6 percent increase over Fiscal Year 1979. Of that number of complaints, 924 were serious enough to demand the prompt application for CRS conflict resolution techniques of mediation and conciliation. Nine of these complaints were in the form of civil disorders that caused injury or extensive property damages, 18 deaths in one instance, and wounded community relationships that will take years, even decades, to heal.

In 1965, public accommodations was the largest problem category. In 1980, it was police/minority friction. And, of all the impediments to harmonious relations between police and minorities, the most serious, and clearly the most inflammatory, were charges by minorities of unwarranted deadly or excessive use of force by the police.

Just as organizations and concerned individuals worked to lick the public accommodations problem, so can the number of persons killed or injured by the police and the subsequent violent reactions be licked. But it can only be done through joint, healthy dialogue and negotiations by forward-looking police and minority leaders.

Such dialogue is taking place today. The problem, though, is that much of it occurs only in the wake of tragic incidents. It is at such times that issues are misrepresented and polarized.

Today, there is common agreement that police officers must be able to use their firearms to defend their own or others' life. But there is also vast disagreement over the amount of controls exercised and the degree of accountability required of police officers in exercising their discretion.

We in CRS believe that the origin of most urban unrest is closely tied to the accountability issue. Three years ago, we undertook a program to reduce the incidence of police-minority violence. Generally, the effort involves gathering and sharing information on the problem and model programs with those involved or concerned, bringing together police and minority leaders in face-to-face discussions of the problem, and helping to implement recommendations that the groups come up with.

With this approach, we think that police/citizen violence—acts that have potential for spurring community disturbances—can be cut in half within five years without impairing the quality of law enforcement.

Solution to the problems are now known. Work to achieve them is what is now most needed. Improved State legislation, revised firearms policies locally, determined police leadership, adequate police training, minority-police cooperation and understanding, sturdy prosecution of police abuses, and public education on the standards of police accountability—all are elements of the solution. Federal, State, and especially local officials, police and minority leaders, concerned citizens and organizations—we all have a job to do.

But the job is doable.

Gilbert G. Pompa
Director

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The Community Relations Service (CRS) Mandate

CRS is an arm of the U.S. Department of Justice that helps citizens to settle race-related problems voluntarily rather than in the courts or the streets. Created by the Civil Rights Act of 1964, it is the only agency to which Congress has assigned the task of providing direct help to communities to resolve "...disputes, disagreements or difficulties relating to discriminatory practices based on race, color, or national origin...." CRS helps communities at the request of State or local officials, or local citizens and organizations. The agency may also assist on its own motion when it suspects that peaceful relations among citizens are threatened.

CRS' basic resource is its men and women who are knowledgeable of and experienced in the techniques of the emerging field of racial and ethnic dispute resolution. The triracial, bilingual staff works individually or in teams, but always in the agency's role of objective third-party neutral.

The approach is flexible and geared to cope with specific community disputes ranging from disagreements in education, law enforcement, housing, and health and welfare services to those associated with American Indians' claim to land, hunting and fishing rights, Ku Klux Klan, and the influx of Indochinese refugees.

Techniques of Conciliation and Mediation

CRS' primary asset is its third-party neutrality role. This role involves applying conciliation and mediation techniques to a problem to settle it. The benefit to communities is that voluntary action avoids Federal or other enforcement action and the costs of litigation, disintegration and disruptive protests that often occur when differences are not settled for long periods.

In conciliation, trained CRS experts serve as a source of independent perspective upon which disputing parties can depend for objective judgement and recommendations for settlement. *Conciliation* is, in operational terms, the informal process of channeling tensions into constructive dialogue leading to a voluntary settlement of differences. CRS facilitates the dialogue so that issues and opposing views are examined, provides a federal presence in critical situations, and tries to leave behind a mechanism to resolve future disputes.

Mediation is a formal process, unlike conciliation, that is tried only if the parties agree to it. In this process, agency mediators, as the most experienced staff members, undertake predetermined actions to get disputants to the negotiation table. There, the mediator chairs the negotiations, always trying to move the parties toward a clear, durable, and fair settlement of differences.

One objective of mediation is a written agreement setting forth specific steps each side agrees to take to end the problem. Another is to create a self-enforcing mechanism to assure timely implementation of its provisions.

Inherent in both services is the *technical assistance* that CRS provides. Such can range from conducting training in dispute resolution and crisis management to providing resource materials and program tools and models indicating how other agencies or communities dealt effectively with similar problems or issues.

CRS Structure

CRS is structured for immediate response to racial and ethnic problems in the most cost effective way. There are 10 regional offices, an Office of Technical Assistance and Support, Public Affairs Office, Legal Office, Office of National Liaison and Policy Development, and Administrative Office.

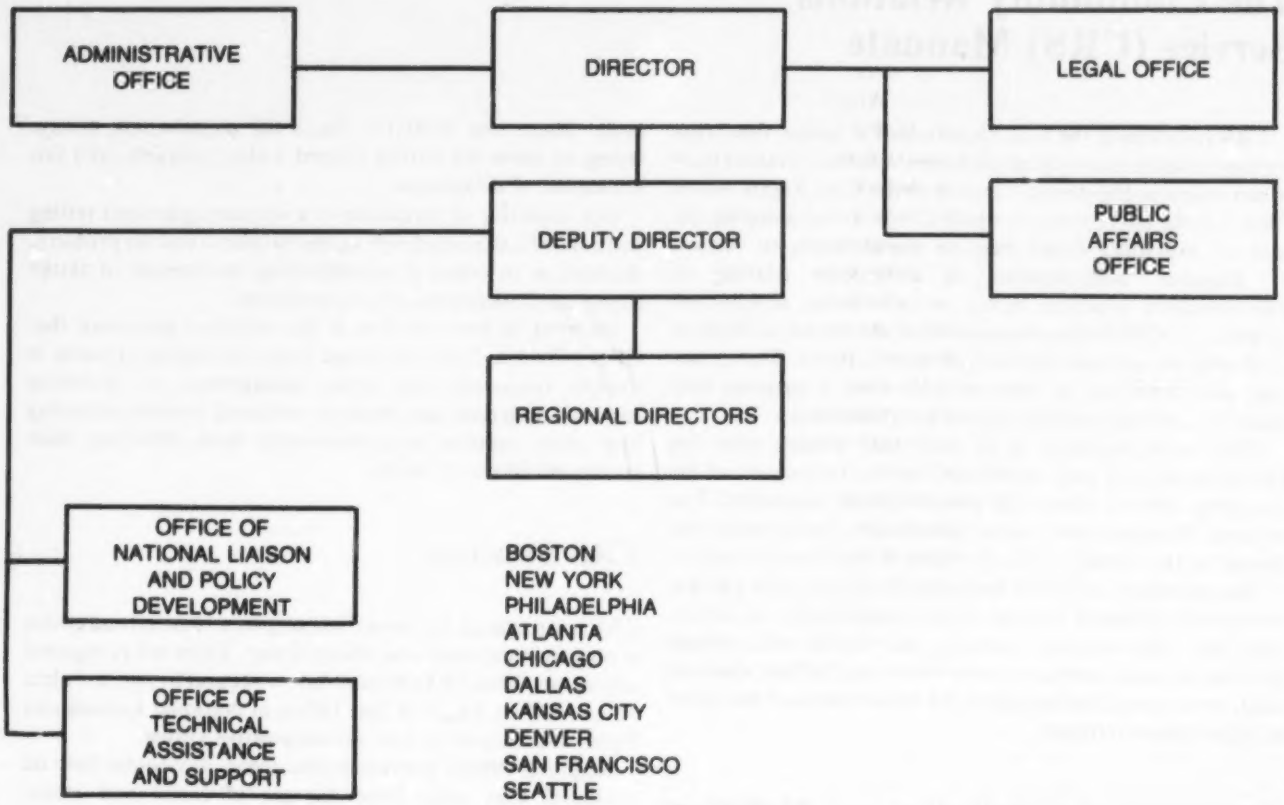
Regional Offices provide on-the-scene, day-to-day help on problems that arise from charges of racial and ethnic discrimination. Virtually all casework is done by mediators and conciliators from these offices.

The Office of Technical Assistance and Support helps the regional offices on all specialized casework. Specialists in education, administration of justice, and technical writing, advise and assist, often onsite, regional staff who are, of necessity, generalists. The office also arranges for the use of consultants and develops materials to meet conciliation and mediation needs.

The Office of National Liaison and Policy Development monitors national trends in racial/ethnic relations, evaluates programs for efficiency and effectiveness, and proposes planning and policy guidelines based on evaluations and trends ascertained. The office maintains liaison with major national organizations to aid in the development of agency programs, and also elicits outside resources to help CRS in its work.

The Public Affairs Office handles inquiries from the news media and private citizens, advises field staff on media-related aspects of conciliation and mediation, and advises the Director on the public affairs implications of new programs and policies. This office develops a variety of the written materials needed by the Director and prepares a number of

Community Relations Service



regular and special-purpose reports and publications. It is also responsible for the agency's Congressional Information Program, which provides case-related information that is requested by members of Congress or their staffs.

The Administrative Office provides logistical support with respect to space and equipment requirements, budget, procurement, and personnel matters.

The Legal Office's primary responsibility is to serve as the legal advisor to the Director and agency staff. It is also responsible for responding to requests to the agency of a legal nature.

Improvement in Management

The Operational Planning System (OPS), introduced late in fiscal 1978, accounted for much of the agency's success in responding to increasing demands with diminishing resources.

OPS is an adaptation of several management systems employed by executive departments. It is, in short, a multifaceted system that interweaves planning, programming, budgeting, and evaluation. A fundamental element of the OPS is an annual agency work plan that establishes goals, objectives, and activities for the approaching fiscal year, allocates resources to objectives and activities; defines interrelationships between objectives; targets the numbers and types of cases, and identifies products sought.

Other elements are a point of reference for effective communication about CRS' work with officials in the Department of Justice, Office of Management and Budget, Congress, and the public, and a general framework for evaluating performance at the end of each fiscal year.

Flexibility is built into the system through a trends analysis component. This component surfaces new developments, problems, and impediments and thereby allows the agency to refocus its efforts to remain effective and relevant to community needs.

To maximize the impact of scarce resources, OPS stresses strong cooperation with and assistance to appropriate State and local, public and private agencies. Also stressed are close working relationships with Federal units internal and external to the U.S. Department of Justice.

Fiscal 1980 Caseload

Fiscal Year 1980 was marred by riots in such places as Miami, Orlando, and Tampa, Florida; Wrightsville, Georgia; Chattanooga, Tennessee; Nampa, Idaho; Flint, Michigan; and Wichita, Kansas; and deep racial and ethnic bitterness and hostility, generally, across the nation.

Much of the turmoil resulted from a huge backlog of unresolved problems that lingers or had grown worse since the 1960s and early 1970s. However, some of the trouble was generated by new problems or new twists to old problems. Many communities for the first time experienced deep-seated disputes related to new immigrant populations from IndoChina, Cuba, Haiti, Mexico, the Caribbean, and South America. And charges of police use of excessive force in their relations to minorities, heretofore mainly confined to the local scene, grew to become a national issue.

A factor for much of the racial and ethnic hositiity was the perception by many White Americans that minorities, mainly Blacks and Hispanics, were getting a better deal than anyone else, and that attention and continued efforts to bring them into the mainstream threatened their welfare.

Minorities, on the other hand, perceived a creeping indifference and decreasing emphasis on efforts to improve their plight, and cited, as justification, an increasing number of reverse discrimination suits and charges, and a marked resurgence in the activities of the Ku Klux Klan.

The CRS received 1,404 alerts to racial and ethnic disputes and incidents during the fiscal year, up 6.6 percent from fiscal 1979. Of the alerts, 39.4 percent were in the Administration of Justice program area. 17.5 percent were in Education, and 43.1 percent were in General Community Relations (see table, right). Nineteen percent of the alerts were screened out or closed at the alert stage because the incident was nonjurisdictional, was being handled effectively, or did not pose enough of a threat to warrant a response.

During the fiscal year, the agency conciliated 890 cases and mediated 34, for a total of 924 cases—or an average of 18 per professional mediator and conciliator. It took about 67 and 1/2-hours to settle a dispute by conciliation, and 214 hours to conclude one through the mediation process.

Cases involving General Community Relations problems accounted for 40 percent of the agency caseload. Problems in the Administration of Justice accounted for 39 percent of the work, and Education problems made up 21 percent of the work.

Sampling of Comparative Groupings

	Fiscal Year 1979	Fiscal Year 1980	Percent of Change
Excessive Use of Force			
New Alerts	108	206	+91.7
Total Cases	69	133	+92.8
Ku Klux Klan and Other Such Groups			
New Alerts	44	96	+118.2
Total Cases	19	50	+163.2
Indo-Chinese			
New Alerts	7	48	+587.7
Total Cases	5	34	+580.0

Summary Case Flow Comparison

	Fiscal Year 1979	Fiscal Year 1980	Percentage of Change
New Alerts	1,317	1,404	+6.6
Total Assessments	1,055	1,155	+9.5
Cases Conciliated	730	890	+21.9
Cases Mediated	19	34	+78.9

Summary, Problems By Program Areas

	Administration of Justice	Education	General Community Relations	Total
New Alerts	547	249	608	1,404
Cases Conciliated	347	188	355	890
Cases Mediated	15	3	16	34

Summary, Groups Served In Fiscal Year 1980

Groups	Number of Cases*	Percentage of Cases**
Black	468	50.6
Hispanic	300	32.5
Native Americans	68	7.4
Asian	24	2.6
Other	25	2.7
Three or more groups in one case	82	8.9

*Cases involving more than one group are counted once for each group.
**Percentages total more than 100 percent.

Who Was Helped and How

CRS' racial and ethnic dispute settlement assistance was utilized by public and private agencies and organizations in numerous ways during the fiscal year.

Federal district judges called on agency staff to mediate, as an alternative to litigation, affirmative action and race discrimination suits and suits brought by prison inmates' groups alleging denial of civil rights, and to help implement school desegregation orders and give feedback on community receptivity.

Prison administrators utilized agency staff to mediate inmates' civil rights grievances before they resulted into court suits, to help restore order during an outbreak, and to train guards and administrators in conflict management.

Private agencies and community groups called on the agency to conciliate or mediate a host of problems stemming from allegations of racial and ethnic discrimination.

Law enforcement agencies called on the CRS to mediate disputes with minority groups, train officers in conflict management and human relations, review recruitment and upgrading programs, help establish guidelines on the use of firearms, establish or evaluate police/community relations programs, and to indentify models of effective citizen-participation in law enforcement activities.

The agency responded to calls from school officials to mediate disputes with parents' organizations, train school security personnel, teachers, and other relevant personnel in preparation for school desegregation, provide technical assistance in support of planning and implementing the desegregation process, and to design plans and programs to improve school-parental relationships.

Business and industry leaders and Federal, State and local officials also requested and received agency help on a number of problems, ranging from settling disputes occurring in the workplace which had the potential for violence or for halting or impeding business operations, to providing training for relevant officials, and to conciliate disputes with minorities concerning the implementation of various public programs.

Program Areas

Problems encountered during the fiscal year fell within three broad program areas, designated as Administration of Justice, Education and General Community Relations. A description of each follows.

Administration of Justice (AOJ)

The AOJ program was primarily concerned with minority-related problems in corrections, courts, and law enforcement. Generally, the corrections component sought to reduce conflicts in prisons by encouraging and helping to create improved grievance procedures, providing conflict resolution and human relations training for corrections officers, and by clarifying penal problems and issues for concerned and relevant organizations and groups outside prisons.

Other aspects of the effort included rendering assistance, at the request of prison officials, to reduce tensions that frequently build up within prisons, responding to disturbances between White and minority inmates or among minority inmates, and mediating the civil rights aspects of a number of inmates' court suits, at the request of Federal district judges.

Police/community relations was another aspect of the AOJ program. This element sought to address the general day-to-day stress growing out of charges of inadequate police services—and countercharges of a lack of community cooperation, police verbal abuse, lack of respect, insensitivity, and of discrimination in police hiring, assignments, and promotions.

Agency professionals worked to open channels of communications between police departments and minority communities, promote community support of and participattin in the police effort, train police in human relations and conflict resolution, evaluate police/community relations programs, and to mediate disputes between police departments and citizens, especially those disputes that split or had the potential for splitting the community along racial lines.

The most taxing component of the AOJ program, though, sought to address charges by minorities of unwarranted use of deadly or excessive force by the police.

The excessive use of force issue, as perceived by CRS, involved the serious and complex question of when and under what circumstances police officers should shoot their weapons in performing their duties.

CRS has worked with police departments and community groups on the excessive force issue since it was created by the Congress in 1964. Initial efforts involved helping to establish police/community relations units, helping to augment the staff of such units, or helping to give status and more police decision-making responsibilities to the heads of these units.

Another approach, introduced during later years, addressed underlying causes leading to police-minority clashes. This involved utilizing CRS' own police specialists and consultants to apprise community groups of the hazards of police work, critiquing police recruitment and affirmative action plans, encouraging and helping police to establish clearer guidelines on the use of firearms, identifying models for involving citizens in the administration of law enforcement, apprising police departments of problems resulting from the use of excessive force, and developing crisis contingency plans for handling protest in ways that don't add to the problem.

A more recent approach includes involving citizens and the police in joint discussion of the problems and in forming recommendations to resolve it. A national consultation in late fiscal 1980 on safety and force (see page 15) was held addressing the police use of excessive force problem. It had three objectives: (1) identification of key issues and problems related to police-minority community relations; (2) exploration of alternatives and solutions to the problem; and (3) development of a working "trilateral" (Black, Hispanic, police officials) relationship geared toward crisis response and problem-solving.

Participating were police and city officials and minority leaders from major U.S. urban areas, localities which lent themselves to trilateral problem-solving efforts; and localities where the problems were particularly acute.

The agency also served as a member of the Justice Department Task Force, set up by the Attorney General to examine current statutes and regulations which govern police use of deadly force as a step toward promulgating and recommending uniform standards for the use of deadly force by police officers across the country.

Education

This program was concerned with resolving, reducing, and preventing difficulties growing out of racial/ethnic discrimination in the educational system, in the classroom and outside. One component of the Education program was school desegregation. The primary objective of this effort was peaceful implementation of school desegregation plans, especially where complex transportation schemes or major redistricting were involved. Assistance varies but mostly included: (1) advising school officials, police and others on contingency planning; (2) conducting human relations and conflict management training for teachers and other school personnel; (3) and providing assistance to Federal courts such as training court-appointed monitors, reviewing school disciplinary practices, and advising on the human relations aspects of proposed school programs.

A second component of the education program dealt with issues such as alleged discriminatory discipline, unfair hiring practices, and "second-generation" desegregation issues, such as ability grouping and a lack of minority involvement in curriculum development and extracurricular activities. CRS' aim was to provide on-site conciliation assistance in critical situations, and to help establish methods to detect potential problems and resolve them before they became critical.

General Community Relations

This program area encompassed a broad range of problems in employment, housing, public health, transportation, energy and the environment, as well as those associated with the Ku Klux Klan and the influx of Cuban, Haitian, and IndoChinese refugees. Many of the disagreements and disputes arose over interpretations of the application of Federal laws and controls by State and local governments. CRS offered third-party assistance whether the disputes or difficulties resulted from discriminatory practices, actual or perceived, or from bureaucratic red tape.

Case Histories

The following sampling of cases indicate the range of problems CRS encountered in Fiscal Year 1980.

Mediation of Court-Referred Cases: Alternatives to Litigation

CRS mediated its first case for the Federal Judiciary in 1973, when it resolved a suit filed by Black inmates against officials at the Louisiana State Prison at Angola. Because of the judiciary's inability to give immediate attention to festering complaints filed, agency officials, in May 1979,

moved to test the value of mediation as an alternative to civil rights litigation. At a workshop that month, attended by 27 of the 31 district judges of the seventh Judiciary Circuit, the agency Director invited the referral of civil rights cases in Illinois, Wisconsin, and Indiana to CRS as a pilot effort.

By the end of the fiscal year, a preliminary evaluation indicated the success of the program. Some of the findings were that:

- Mediation brought about a settlement much quicker than litigation;
- Parties and their counsel generally preferred negotiated settlements to rulings imposed by judges;
- Parties felt that mediation did not leave the residue of anger and bitterness that often follow court edicts;
- Plaintiffs and defendants viewed the mediation settlements as reasonable and just; and
- There were substantial financial savings, as the mediated settlement eliminated the need to appeal.

CRS worked on 19 court referrals from nine judges and three magistrates as a result of the pilot effort. They included—

Cairo Illinois. Here, the CRS was asked to mediate a class action suit in which Black voters sought to abolish the at-large system of electing city council members and replace it with a ward election system. Blacks represented about one-third of Cairo voters, but none had been elected to the city council since before 1900. The resulting consent decree, mediated by CRS, provided for an elected mayor and a six-member council. The mayor and one council member were to be elected at-large and five council members would be elected from wards. Settlement of this case, in a community torn by more than a decade of bitter racial controversy, was hailed by attorneys as an important step toward racial cooperation.

Mrs. Hattie Kendrick, 84, a Cairo, Illinois, resident for 50 years, voted in November 1980 for a Black City Council candidate, for the first time in her life, the result of an agreement mediated by the CRS at the request of the Federal judicial court.

Had mediation not been successful, a long, costly, and complex trial would have resulted.

Waupun, Wisconsin. In suits filed in both the Eastern and Western Districts of Wisconsin, three inmates alleged discriminatory treatment of prisoners in the predominantly Black Adjustment Center of the Wisconsin State Prison in Waupun. The District Court judge requested CRS intervention. A series of meetings with prison administrators, corrections department officials, Wisconsin assistant attorney general, the State public defender's office and the inmates brought about agreement on complaints related to food service, exercise, visiting privileges, the use of mace, racial discrimination and housing assignments. In addition, the agreement called for the hiring of a Crisis Intervention Counselor to work in the Adjustment Center.

Chicago, Illinois. In *USA v. Elrod,* the Department's Civil Rights Division charged that housing assignments at Cook County Jail were made on the basis of race. When counsel reported to the court on May 10, 1979, that they had been unable to reach a settlement, Senior Judge Hubert L. Will assigned CRS to assist them. The CRS-mediated agreement (1) established a classification system consistent with the consent decree's provisions and the security interests of the Department; (2) developed a tiering plan, outlining the rational and objective criteria to be used in assigning inmates to various housing units; (3) proposed the establishment, modification, or abandonment of housing units for inmates with special needs; (4) developed standard operating procedures to assist defendants' employees in the day-to-day classification process; and (5) developed a training program for defendants' employees assigned to classification duties.

Chicago, Illinois. In 1978, the Kenwood-Oakland Community Organization and Uptown Peoples' Community Service Center filed suit charging that the Department of Commerce and the City of Chicago failed to include minorities on the committee in accordance with Federal guidelines, resulting in a lack of representation of the unemployed and underemployed. The suit contended that the underlying problem was race discrimination. CRS was initiated by the court to intervene, and, after a period of CRS-conducted negotiations, agreement was reached on the two-year-old suit. It required that the city appoint to its Overall Economic Development Plan Advisory Committee, within 30 days, six persons. Each was to be one of the individual plaintiffs, or a member of one of the plaintiff organizations. Twenty-five percent were to be minorities equally distributed between Blacks and Latinos, and 40 percent were to be women. The city agreed not to act on its overall economic development plan until the new members were in office and had the opportunity to review all economic development plans and proposals.

Police/Minority Community Violence and Confrontations

Of all institutions protested during fiscal 1980, law enforcement stood out as the one most plagued by minority resentment and distrust. It was also the most dangerous and potentially explosive. Most often the controversy stemmed from some police act under circumstances in which the officer used his weapon.

An officer's decision to use a weapon is historically grounded in strict legal terms that are based on society's views of what is reasonable and just. But in stark reality, an incident in the streets demands a decision that is based on little more than what the officer, at the instant, perceives as reasonable and just.

Compounding the problem is the absence of performance standards, stemming from a lack of uniformity in State laws limiting the use of force to apprehend a felony suspect.

Basically, there are three categories under which the various State laws fit:

1)Common Law—which dates back to 15th-century England and 18th-century America, and makes all felonies punishable by death. This, the least restrictive policy, generally sanctions the use of deadly force to arrest a felony suspect. Twenty-four States adopt this approach, but 17 have placed such vague statements as "reasonable belief" or "sufficient cause to assume" into the books to further guide the officer's discretion;

2)*Forcible Felony Rule*—in which State laws specify the kinds of felonies for which deadly force may be employed; or they mandate that only "Forcible Felonies" justify force. Seven States adopt the Forcible Felony approach; and

3)*Model Panel Code Approach*—which sanctions firearms policies based on the danger to the suspect and the officer and to society as a whole. The technical classification of a crime such as a misdemeanor or felony is ignored; The need to apprehend suspects versus the safety of the arresting officer versus the value of human life. Seven States adopt this approach.

Twelve States have no justification statutes limiting an officer's use of deadly force.

No uniformity is evident. Some States follow the common law approach, others the forcible felony rule; others the model penal code approach; while others have no State justification statutes on deadly force.

Further compounding the problem is the lack of consistency in the classification of crimes by the various States. What is considered a felony in one State might be a misdemeanor in another, but not even be a crime in another.

Besides the excessive force issue, other problems aggravated already fragile relationships between police and minority citizens. CRS frequently utilized the training session format to address some of these problems. For example, at the request of police chiefs, the agency's New England Regional Office conducted human relations and conflict management training for police officers in Portland and South Portland, Maine, and Brookline and Hyannis, Massachusetts.

Other techniques used ranged from creating advisory committees of minority leaders to meet periodically with top law enforcement managers, to ride-along programs, to helping hold forums to improve delivery of policy services to reservation Indians.

Case History Synopses

Louisville, Kentucky. In 1974, the Black Police Organization filed suit against the City of Louisville, alleging racial discrimination in police recruitment, hiring, assignment, promotion and discipline practices. The Fraternal Order of Police intervened on behalf of the city in 1975. Both suits had the effect of dividing the police department along racial lines, a division that surfaced in a community already beset by tensions from school desegregation.

CRS offered its help, and an out-of-court settlement of the six-year-old dispute was soon reached. The city expressly denied that it discriminated racially; however, it did agree to immediately:

(1) involve Blacks in the design, development and implementation of recruitment and recruit training and to replace recruits who drop out of the program only with members of the same race;

(2) establish a three-member discipline committee to investigate charges and make recommendations to the police chief before action against an officer is taken to allow the accused officer to participate in the disciplinary hearing process and to allow a representative of the Black Police Organization and the Fraternal Order of Police to attend disciplinary hearings;

(3) establish settlement damage funds of $150,000 and $85,000 for promotional and discipline claims, respectively, with the disbursement method to be determined by the representatives of the city and plaintiffs;

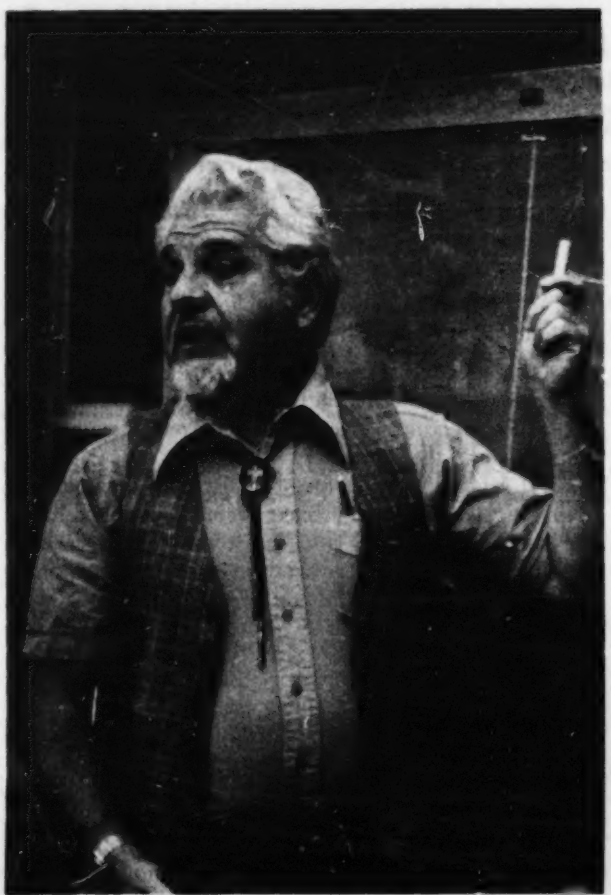
(4) assure that, within two years, Blacks are represented in units where they have been historically underrepresented and, within five years, to make black representation in all major units reflect their percentages on the total force; and

(5) achieve as soon as possible a 15 percent Black representation in the ranks of sergeant, lieutenant, and captain by changing the promotion process.

The suit had been in court for five years, but it was settled,

through mediation, within three months, saving the city thousands of dollars in legal and other costs. The agreement formed the basis for a consent decree which was approved by a judge, officially ending the dispute.

Nampa, Idaho. A fight between a store clerk and a Mexican-American youth in Nampa's Karcher Mall on January 20 grew into a free-for-all that ended with the arrest of nine Mexican-American teen-agers and one White, eviction of Mexican-Americans, but not Whites, from the Mall, charges of police name-calling and brutality, and two days of demonstrations by about 300 persons in front of City Hall and the police department. When a CRS mediator/conciliator team entered the city, it uncovered a history of problems relative to police/Hispanic relations. After weeks of meetings with leaders from relevant community segments, Hispanic leaders and city officials agreed to settle their differences at the conference table. An agreement was eventually reached, with CRS serving as mediator, calling for the establishment of a community relations commission to promote interracial communication and understanding, cultural awareness training for police to make them more sensitive to Mexican-American feelings, a community relations specialist position in the police department, and implementation of an affirmative action program in all city agencies. Negotiating parties were the Mayor and representatives of the Chicano Community for Justice.



Rumors and misinformation aggravate racial tensions and have potential for inflamming disturbances. In times of racial trouble, CRS encourages the creation of a rumor control center to verify and disseminate reliable information. Here a CRS conciliator explains how a rumor control center can be structured and operated to effectively offset the harmful effects of rumors, gossip, and misinformation.

Battle Creek, Michigan. In response to repeated complaints of police use of excessive force and harassment of Blacks, the Battle Creek City Council established a committee to explore the problem with Black leaders and develop a programmatic response which would be presented to the entire Council. However, lacking confidence that the approach would lead to significant change, a group of Black leaders asked CRS to intervene. CRS convened Black leaders from an ad hoc coalition, NAACP, and the ministerial community and brought them around the table with the city manager and other city officials. The result was a signed agreement that prescribed changes in police practices and regular meetings between Black leaders and city officials to review police-community problems. Shortly thereafter, the city manager accepted the resignation of the police chief, commissioned a nationwide search for a new chief, and contracted for a major study of the police department which is leading to positive changes. Racial tensions abate in the city as the result.

Harris County (Houston), Texas. The Houston area has a long and vivid history of police-minority polarization. CRS began in fiscal 1979, and continued in fiscal 1980, an effort to establish a new approach to better understanding and effective information-sharing between law enforcement and Black and Hispanic communities. Police chiefs from more than 20 county jurisdictions, sheriff's department and State police representatives, were convened early in the fiscal year with Black and Hispanic leadership to consider a structure within which major local issues could be addressed and frictions relieved. In addition to issues that had been given attention at statewide meetings held earlier, attention was directed toward specific questions of police accountability, undocumented persons, and community organization orientation. The group continued meeting on a regular basis as the fiscal year closed. Participation widened as the format was tested and found fruitful. Those who have been most involved seem convinced that they have created a model worth emulating in other metropolitan areas around the country.

Euless, Texas. A 14-year-old Mexican-American youth was shot to death by local police answering a domestic disturbance call. The father of the victim alleged that police had unnecessarily forced their way into the home and created a tragedy that could have been easily avoided. CRS responded

to the trouble as it spilled into the community. A meeting was convened that brought the police chief and other city officials together with protest spokesmen to explore options available to help turn community anxieties and bitterness toward a constructive purpose. A task force was developed that turned attention to police policies and practices that were mutually seen to deserve examination. Among specific matters agreed upon were: (1) training innovations to facilitate cross-cultural sensitivity, (2) Hispanic community participation in the review of police policies and the drafting of new procedures, (3) establishment of joint efforts to make legislative recommendations regarding improved police methods, (4) monitoring of the current external investigation of incidents that gave rise to community discord, and, (5) establishment of a new departmental policy requiring officers involved in any shooting episode to undergo psychological evaluation and counseling before returning to normal duties.

Sitka, Alaska. When an Alaskan native was shot and killed by a White police officer, minority citizens alleged the city failed to take appropriate action, other than conducting a routine investigation and a coroner's inquest. Tensions rose to a serious level and the State Human Rights Department asked CRS for help. A CRS assessment revealed these demands and concerns: (1) a disparate number of Alaskan natives detained by police; (2) alleged differences in the way police handled natives, especially youth, when arrested as compared to Whites; (3) an absence of natives on the police force; (4) inadequate human relations training of police officers; (5) inadequate screening procedures of police candidates and the absence of psychological testing; and (6) inadequate citizen complaint procedures for handling grievances against police. Through the efforts of a CRS mediator, the Alaskan Native Brotherhood, Human Resources Committee, and the Mayor of Sitka, an agreement to negotiate the problems was reached and all the issues were resolved through the process.

Kingsville, Texas. Allegations of excessive force and abusive treatment were lodged by Hispanics against city, county, and State police agencies arising out of a mid-summer festival at a public park. A series of confrontations resulted in injuries to two peace officers and more than a dozen arrests. The aftermath brought elevated antagonisms and further deterioration in police-minority relationships. Initial demands called for responses unacceptable to law enforcement authorities. CRS entered and proceeded to facilitate a climate for compromise and reason. Issues centering on a public apology for wrongful police action, restitution to vendors' monetary losses, and recommendations to drop charges against arrestees were ultimately incorporated in a signed agreement that set forth explanation of events from both complainant and respondent perspectives.

Longmont, Colorado. On August 14, 1980, two Chicano young men were slain by a White rookie police officer. One of the victims was fatally shot as he allegedly lunged at the officer; the other was shot as he was fleeing from the scene. Police said no felony was committed and that the victims were slain after the car in which they were riding was stopped for an alleged traffic violation. The shoothing inflamed tensions, which precipitated a response by CRS. Upon arrival, a CRS professional contacted the Hispanic leadership and local officials, eventually persuading them to negotiate their differences. An agreement was reached between El Comite and the mayor, city manager, and city council calling for: (1) a hotline to air police complaints with polygraph tests allowed and paid by the city if problems were not resolved through normal channels; (2) creation of a human relations specialist position assigned to the city manager; (3) creation of a civilian ride-along program; (4) an assessment of the police department by an outside team of police chiefs, and (5) a new structure for the department. CRS then contacted the Community Services Administration (CSA) and made arrangements for the city to successfully apply for a $70,000 grant for two years to fund the human relations specialist job. As a result, the city allocated an additional $400,000 to the police department for additional officers, training, and an affirmative action program to upgrade the force which had only two Chicanos on its 52-person force.

Miami (Dade County) Florida. Crisis in Miami was triggered by a breakdown or malfunctioning of the administration of justice system. A series of incidents led to the outbursts. The story of the death of Arthur McDuffie is well-known. He was the Black insuranceman who was apprehended after a high-speed chase on his motorcycle then killed while in police custody. The officers claimed that death resulted from a speeding accident. But when this was proved a sham, four policemen were charged with murder. Their acquittal in a Tampa trial sparked rioting in Miami on May 17, 1980, which eventually ended in the death of 18 persons, some $80 million in property damages, arrest of about 855, and impairment of already tenuous relations between the races that will take years to heal. But the McDuffie killing and subsequent rioting were not the first signs of poor police/Black relations or violence in Miami. The City experienced a riot in 1968, which was sparked by a police/Black confrontation. Since that time, professionals from the CRS Southeast Regional Office in Atlanta frequently have visited the city and State in response to minority/law enforcement conflict. Just six months into fiscal 1980, for example, the CRS Atlanta office had alerted seven instances of allegedly police brutality against Black males in Florida.

Of utmost concern was a need for the city to do something about the growing minority charges of police violence,

National Guardsmen were called into Miami (Dade County), Florida, to help quell the Nation's worst riot of 1980, which was set off when four policemen were acquitted on charges of murdering a Black man. As Fiscal Year 1980 ended, among other things, CRS professionals were trying to improve relationships between the city and county's law enforcement agencies and Black residents.

especially as related to the fleeing felony rule. The most critical factor that arose in conversations that CRS professionals had with Black leadership was their distrust for and loss of confidence in the criminal justice system. The State's Attorney was viewed as acting deliberately to avoid charging police officers accused of wrongdoings or of bringing charges against them in such a slipshod manner as to guarantee exoneration. Racial tensions grew to the point that the CRS Director dispatched the CRS Deputy Director and the Southeast Regional Director to Miami the second week in May to personally assess major problems, an assessment which revealed a city not only beset with police/Black hostility, but one that was also bludgeoning with problems associated with the influx of Cuban and Haitian refugees. The assessment called for the immediate opening of a CRS temporary office in Miami as a short-term approach toward averting open conflict and to indicate a Federal concern for minority leaders, who were expressing a desperate need for victories to maintain their credibility and ability to influence the stability of the Black community. An official request to open the temporary office reached the Attorney General on Monday, May 19. The four White policemen were acquitted the previous Saturday, May 17. Before the night ended, 9 persons had died, some 140 had been injured, and 207 had been arrested. (Nine persons were to lose their lives before the trouble subsided.)

The CRS Southeast Regional Director was among the first officials on the scene and in position to brief the Attorney General when he arrived in Miami, accompanied by the CRS Director and Assistant Attorney General for Civil Rights. While at one of the CRS briefings the Attorney General announced the opening of the CRS office and the re-opening of the prosecution against the policemen, if evidence supported such action.

As the fiscal year ended, CRS' triracial team was attempting to do the following:

- establish and/or strengthen advisory committees in the six district offices of the Department of Public Safety, identify critical problems needing immediate attention, and aid generally in resource development and mobilization;
- establish a viable citizens' complaint mechanism to provide for easy access, speedy handling, and thorough investigations of complaints filed against the police;
- review, with the aim toward improving, the Miami/Dade County firearms policy using the Federal Bureau of Investigation firearms policy as a guide;
- encourage and enhance the recruitment of an adequate number of minorities in law enforcement agencies;
- assess the Department of Public Safety's relationship with minorities and its ability to respond to their legitmate needs;

- form a high-level business/minority leadership council to address community problems and plan community progress;
- establish minority coalitions to promote closer working relationships between Black and Cuban groups; and,
- conciliate and mediate disputes and problems in schools as they spill over from the community.

National Consultation on Safety and Force: An Opportunity for Police/Minority Community Cooperation

This was an effort in which CRS sought to involve the most knowledgeable sources—local police and local citizens—in the search for an answer to the question: When and under what circumstances should a police officer use the weapon? To find the answer, CRS, in cooperation with the National Urban League and League of United Latin American Citizens, and supported by a grant from the Law Enforcement Assistance Administration, convened the December 1979 consultation in Silver Spring, Maryland, a Washington, D.C., suburb. The 254 Black and Hispanic leaders and police officials who attended were asked to do three things: (1) collectively discuss the use of excessive force, (2) come up with recommendations, and (3) return home and implement some or all of the recommendations.

The issue was hotly discussed for two and one-half days. But in the end, the participants jointly made 31 recommendations for Federal, community, and police action, and police/community action. Perhaps the one recommendation most agreed upon, was one calling for a Federal policy requiring that police use deadly force only to defend or protect human life, and that the policy be enforced through civil rights prosecutions.

Another recommendation called for the Department of Justice to promulgate a model policy on police use of guns, after consultation with police officials and minority groups. Still another called for State legislators and municipal executives to reconsider and restrict policies on police use of excessive force.

Recommendations for local actions included civilian review boards, simplification of citizens' complaint review processes, and city or metropolitan-wide meetings to improve communications and understanding of points of view between minorities and police.

As the fiscal year ended, CRS professionals were helping 19 communities to implement violence-preventive recommendations agreed upon at the consultation (a single copy of the consultation proceedings can be obtained from the Community Relations Service, U.S. Department of Justice, 5550 Friendship Blvd., Chevy Chase, Maryland 20815).

Police use of excessive force is a serious and complex issue that requires a variety of problem-solving approaches. One CRS approach, during Fiscal Year 1980, was to bring together police officials and community leaders from across the country for a two- and one-half day discussion of the problem. All together, the group made 31 suggestions leading to improved relationships and resolution of the excessive force problem. Shown here, from left, are Washington, D.C., Police Chief Burtell Jefferson; CRS Director Gilbert G. Pompa; CRS Administration of Justice Specialist Howard P. Carrington; and Perome Paige, Director of the Washington, D.C., Urban League.

Problems in Education

Disputes in education did not tax agency resources as much in Fiscal Year 1980 as in past years. Still, much time was devoted to resolving a wide range of school problems.

In some instances, CRS professionals were asked by the courts to help local communities with problems that typically arise during transition to a unitary school system. Alexandria, Louisiana; Helena, Arkansas; Austin; Dallas; Baton Rouge; and St. Louis were among a large number of city school systems that received such help. Other school desegregation-related assistance ranged from training school districts in rumor control, contingency planning, conflict management, and human relations, to conducting seminars for school systems explaining a step-by-step procedure on developing and/or improving security systems. School systems drawing up desegregation plans also called upon agency professionals to advise on how other desegregated systems prepared for the process and to likewise help them.

Calls for assistance veered from the usual, such as conciliating in the occupation of a school in Philadelphia by disgruntled Black parents, to the unusual, such as responding to the Colorado Education Association's request to end the teacher's strike in Antonito, Colorado.

Case History Synopses

Dunseith, North Dakota. This community, located on the Canadian Border and made up of 70 percent Indians, experienced a student strike in January 1980. Included among the complaints were charges of unfair disciplinary procedures, poor scheduling (short lunch periods) and insensitivity to Indian concerns. At the request of school administrators and board members, CRS entered the controversy and, working with an Indian-White coalition, set up two days of training sessions for interested representatives of the community, students, parents, teachers, administrators, and school board members. During the sessions, communication skills, disciplinary review, school board policies, and a plan for improving the relationships between community, school staff, and the administration were stressed. As the result, the school administrators and board agreed to develop a school policy manual with the aid of CRS and the Mountain West Race Desegregation Assistance Center, based at Weber State College in Ogden, Utah, to insure the incorporation of concerns of the total school community and to guide school teachers and administration toward dealing with all school activities in an even-handed manner.

Portland, Oregon. In May, public school students staged a boycott that was nearly 100 percent effective in the Black community. The key issue was the concern of Black parents that the school desegregation plans did not allow for their input in the selection of teachers and principals at inner-city schools. In addition, the Black parents said the plans did not provide enough middle schools for Black students, failed to institute an adequate multi-ethnic curriculum, and did not ensure that Black students would be treated fairly in school discipline. Subsequent to the boycott, Black leadership demanded the resignation of the school superintendent. In June, the school superintendent was removed by the school board and this action increased serious tension with some groups gearing up for recalls of certain members on the school board. CRS responded and provided training, conciliation, and technical assistance to officials. Agency officials also helped the Black groups to gain access to the proper officials and to establish communications lines through which they could influence decisionmaking. Tensions were minimized as the result.

Sheridan, Colorado. In August, Chicano students, with their parents' support, presented a list of concerns to the school board. Included were allegations of severe punishment for Chicano students when compared to Whites; no Chicano faculty member despite a 20 percent Chicano enrollment; derogatory racial remarks; no student handbooks; poor relationships between teachers and Chicanos; and the ridiculing of Chicanos for not participating in sports. Upon request, CRS assisted the Chicano group in setting up a meeting, first with the school superintendent and then with the full all-White school board. The board took immediate steps by announcing all of the Chicano concerns to all students in the district. The board then set up special meetings with each of the 12 standing committees to discuss the concerns and, as a result, set up a "Delivery System for School Climate Improvement." The plan includes training for teachers with the assistance of the Colorado Department of Education on Minority Affairs.

Alexandria, Louisiana. A court-ordered plan to desegregate the schools of Rapides Parish went into effect in September 1980, but the community was ill-prepared for a peaceful transition. Anti-busing forces mobilized early and gathered substantial strength as opening day neared. Ku Klux Klan agitators were active. Busing, a major issue during the height of the local political campaign, contributed further to the tempo of division and dissension. Rumors were rampant. School board members came to meetings with firearms and other citizens were similarly prepared for what threatened to be open warfare. CRS moved quickly to confer with spokespersons for various positions and centers of influence. Business, civic and religious leaders were contacted and many were persuaded to support an effort to assure a peaceful school opening. A rumor control center was developed. Contingency planning was reviewed and agreed upon with the police and sheriff's departments. Emergency federal funds for use in compensating education and other transitional needs were facilitated through CRS initiatives. As the result, the schools opened and were able to operate without incident.

St. Louis, Missouri. The District court requested that CRS help the community to desegregate St. Louis' public schools. Thus, extensive assistance was provided to both the court-appointed citizens committee and school officials, including assistance in the security planning and evaluation, and in rumor control. Agency professionals also helped to evaluate training for school security personnel and to develop a training program for a community inter-faith coalition organized to support peaceful implementation of the desegregation plan. Assistance was given to establish lines of communication needed to assure that district patrons and others get accurate information about the desegregation process, and helped to assure, as well, that various elements of the affected community—school officials, community groups and municipal officials—work together to the extent possible.

Wrightsville, Georgia. Prolonged trouble in this east-central Georgia town started with a fight in school between Black and White students. When the sheriff detained a number of Black girls for questioning, Black leaders grew angry and initiated demonstrations at the county courthouse. White toughs and individuals said to be sheriff deputies

attacked the Black demonstrators in a bloody scene. Two CRS professionals were also attacked. Demonstrations were subsequently enlarged and the Southern Christian Leadership Conference came in to support Wrightsville Blacks. The violence surged to the point where State troopers had to be dispatched by the Governor to assure Blacks the right to demonstrate. Amidst the trouble, a CRS mediator/conciliator team was able to prompt formation of a biracial committee. However, as the year ended, no lasting solutions had surfaced even though the violence had subsided somewhat.

Fresno, California. The school district was ordered by the Department of Health, Education, and Welfare (HEW) to desegregate and improve its affirmative action program. At CRS' suggestion, the school board adopted a five-point communication plan for facilitating the implementation of desegregation. The CRS-recommended plan called for televising school board meetings, creating a student magazine-type television program to improve the school district's image in the community, in-service training of all clerical personnel and administrators in communication skills, and establishing continency plans for implementation during potential crisis situations. A CRS conciliator assisted in the negotiations with the local PBS station to carry the board meetings. The conciliator provided technical assistance in creating a pilot TV school program and conducted a communication skills workshop for 180 administrators and clerical personnel, and 39 police department dispatchers and supervisors. The workshop incorporated cultural barriers, listening and speaking skills, and techniques for information handling in crisis situations.

General Community Disputes

At no time in recent years did serious racial confrontations appear more frequently than in fiscal 1980. Traumatic conflict started in Greensboro, North Carolina, on November 3, 1979, a little more than a month into the fiscal year. But before the year was over, Wrightsville, Georgia; Chattanooga; Miami; Orlando; Tampa; Flint; Nampa, Idaho; and Philadelphia, all had been doused with the type of violence that took place in the 1960s.

But Fiscal Year 1980 also brought with it new problems, as the nation's newest immigrants from Cuba, Indo-China, and Haiti often found themselves at odds with local citizens. Their sometimes sudden arrival on the local scene created high tension and instability. Invariably, there was insufficient preparation made for the influx. Housing, employment, and education needs loomed large as unfamiliar cultures were thrust upon one another, each with little understanding of the values, language, or customs of the other. Assimilation problems became intense in numerous instances where local citizen groups perceived the newcomers to be a threat to their safety, livelihood, or homogeneity. Violence and threats of violence were not uncommon.

CRS' role varied somewhat in each circumstance. However, its primary objective was always to identify and mobilize resources that could contribute to opening communication, improving coordination of helping agencies, and otherwise lessen the likelihood of hostilities.

Contributing to this category of cases were (1) a growing number of Ku Klux Klan (KKK) related difficulties in the form of crossburnings, armed rallies countering minority protestors, firebombings, open challenges to the police, and general harassment of Blacks and Hispanics, and (2) difficulties related to growing out of land use and fishing and hunting rights of Native Americans.

Denver, Colorado. A fight between IndoChinese and Chicano youths during the summer of 1980 developed into a disturbance that required police with riot equipment to put down. The event surfaced deeply-rooted feelings and lack of understanding between the two groups; lack of proper housing, employment, medical and welfare services, particularly for IndoChinese. The CRS responded and was instrumental in the formation of task forces at Federal, State, and city levels. The professionals further recommended the creation of a new ethnic information center which was funded for two years by the Community Services Administration, at $125,000 a year. CRS provided the training for the nine-member, multi-ethnic team which staffed the center.

Dallas, Texas. The increasing stridency of the Ku Klux Klan had impacted on numerous communities in the Southwest. In this instance, it generated counteraction by those opposed to its principles and tactics. A well publicized KKK march in early November 1979, designed to attract attention to its membership drive, also attracted a large and hostile opposition. A counter-march drew several thousand participants. CRS worked closely with police commanders in helping assure avoidance of any serious confrontation during the marches or at the respective rallies. The major effort was directed at organizing an observer task force to monitor both marches, thus putting on the streets a cadre of "peacemakers" whose presence as witnesses to any aggression was expected to reduce the likelihood of violence. Tensions were high throughout the day and several incidents came near triggering serious consequences. Conditions were so fragile, in fact, that the parade-ending rallies were arbitrarily cancelled when police, sensing a critical buildup of antagonisms, forced the Klan marchers into a building's garage before they reached their scheduled destination. Thus ended a trying day fraught with dangers, but without injury or property damage.

Seadrift, Texas. A series of incidents and confrontations, beginning in August 1979, and continuing through mid-1980,

was the result of the steadily increasing number of IndoChinese refugees settling among the many small Gulf Coast fishing communities. Concentrating their attempts to earn a livelihood in the shrimping and crabbing industries, the presence of a strange and misunderstood culture, language barriers, and other factors contributed substantially to the perceived economic threat seen by many native fishermen who "wanted the aliens out." Violence flared repeatedly. CRS launched intensive efforts to facilitate communication between opposing parties and to introduce a basis for constructive interaction. Peaceful coexistence was an imperative, an alternative to further deterioration in relationships and possible tragedy of still greater proportions than had already occurred. Objectives of CRS intervention were: (1) familarization of the IndoChinese fishermen with regulations and customs related to fishing rights and responsibilities; (2) coordination of town meetings to allow for venting of frustrations and to facilitate better understanding of underlying problems and perceptions; (3) mobilization of national, State and local resources to bring technical information to the parties and to help the search for solutions; (4) persuasion of native and refugee shrimpers to negotiate a written settlement that would assure a return to reasonably peaceful relations; and (5) formation of a biracial fishermen's council to engage in ongoing activity to promote favorable attitudes and encourage harmony. The string of Texas cases involving CRS in these issues resulted later in the agency's participation and advisory role with the Governor's Task Force on the Resettlement of IndoChinese Refugees.

Idaho/Nez Perce Dispute. The Idaho Fish and Game Commission ordered a conservation closure on salmon fishing on the Rapid River following the Nez Perce Tribal Executive Committee opening the river to tribal members who conducted a "fish-in" to assert "tribal rights." State law enforcement and fish and game officials, some in tactical gear, responded. This resulted in a highly tense situation with a strong potential for violence and bloodshed. A CRS mediator entered the dispute and arranged for the tribal chairman and the State Fish and Game Commission director to meet in joint work sessions. This led to a joint understanding on procedures for developing a formula for tribal harvesting of salmon. The CRS mediator then met with the Governor's aide for natural resources and the State's legal counsel. The Governor's office requested CRS assistance in developing negotiations with the Nez Perce Tribe regarding fishing rights on the Rapid River. Although citations were issued with some arrested, CRS helped to develop and implement plans which averted loss of life and found alternatives to violence. The CRS work helped set in motion a more peaceful, joint approach to the problem.

Dallas, Texas. The death and subsequent funeral of a well-known local Klan leader created a potentially volatile situation that quickly grew out of proportion through media attention. The deceased had requested a full ceremonial Klan procession and service at the burial site. Local cemetery operators were reluctant to allow such an unorthodox arrangement, fearing adverse publicity and possible desecration of property. Klan members responded with picketing at the funeral home and soon there were detractors on the scene voicing their displeasure with Klan intentions. The CRS response involved identifying a cemetery that would accept the body under a variation of described conditions, and helping to facilitate necessary arrangements, thus putting an end to the uproar. The funeral and burial took place without major difficulty.

Fort Worth, Texas. CRS was able in June 1980, to influence a strategy that virtually assured a nonviolent KKK activity. At the request of city officials, well in advance of the announced KKK "March Against Communism," CRS participated in extensive planning that resulted in "a party that nobody came to." Having succeeded in getting unusually helpful cooperation from the media (down-playing the pre-event publicity), and similar cooperation from merchants and citizens in general, the Saturday march was so sparsely observed that there was no real opportunity for confrontation. A rumor control mechanism and "observer task force" had been established with CRS assistance, each contributing to the ultimate, peaceful outcome.

Puyallup Indian Difficulty (Washington State). Puyallup tribal leaders occupied the Washington State Juvenile Diagnostic Center in Tacoma with tribal police cordening off the large tract from access to entry. Clients and staff were caught in the building. The takeover was reportedly in response to the U.S. Supreme Court decision affirming State authority to levy taxes on Indian-owned tobacco shops located on reservations. The armed Puyallup police seized the center's parameter after armed State SWAT teams occupied the center itself. The armed standoff was similar to Puyallup action in October 1976, when armed members of the tribe seized the grounds and the center's main building to demand the return of treaty lands from the State. Caught in the middle of this conflict between the Indian nation and the State were 59 juvenile offenders and 11 center employees.

CRS, in cooperation with State and tribal officials, developed plans to prevent violence. A key meeting was arranged between the Washington State Patrol SWAT team commander, center officials, and tribal police. This meeting worked out the details for an exchange of 16 Diagnostic Center persons to be brought into the center to care for 60 residents. Arrangements were made: (1) for withdrawal of the 10-man SWAT team and its riot equipment; (2) to be replaced by a much smaller number of regular State policemen, and (3) the transfer of some 15–20 juvenile residents to area work/study release programs. Both parties agreed to

maintain the status quo until a Federal court hearing. CRS assisted in establishing communications and the gaining of a truce until the court ruled that the center legally belonged to the U.S. Government in trust for the tribe.

Vallejo, California. A severe communications problem arose between leaders of Country Club Crest, a small Black community on the outskirts of Vallejo, and Vallejo officials. Black leaders had written to several Federal government agencies requesting funds for improvement projects, but had received no adequate response. At the request of the San Francisco U.S. Attorney, a CRS conciliator entered the dispute. His efforts resulted in (1) funding for a home weatherization project; (2) designation as a target area for neighborhood improvement, making them eligible for HUD loans; (3) commitment by the city to repair streets, remove abandoned vehicles, remove rubbish, extend streets and sidewalks and put in more mailboxes and public telephones; (4) additional funding to the Association to continue programs; and (5) technical support from the County Manpower Office in seeking additional funding and personnel.

Kaibab Reservation, Arizona. Under an agreement mediated by CRS, the 73-year-old Indian village of Six Mile, on Kaibab-Paiute Indian Reservation in Northern Arizona, received piped water for the first time in history. In addition, the town of Fredonia, just east of Six Mile, was able to replace its rusty water pipe that crosses two and one-half miles of reservation land with one of double capacity. The agreement, signed by Indian leaders and representatives of Fredonia and the U.S. Department of Interior, ended a long-standing dispute between Indians and Whites over water, a scarce commodity in the area.

Institute on Indian Law and Jurisdiction. CRS recommended and cosponsored a Northwest Conference on Indian Law and Jurisdiction to address a number of conflicts over Indian rights and jurisdictional misunderstanding. The institute was designed for tribal officials, criminal justice personnel, local, State and Federal law enforcement personnel, fish and game officers, prosecutors, attorneys, and policymakers in Idaho, Montana, Oregon, and Washington. Joining CRS in the planning and cosponsorship were the University of Idaho Continuing Education, Native American Cultural Resource Center of Washington State University, Affiliated Tribes of Northwest Indians; Northwest Indian Fisheries Commission, and the Northwest Tribal Law Enforcement Association.

Other cooperating agencies were the Washington Criminal Justice Training Commission, Washington State Department of Fisheries, Seattle, Washington; law firms of Chesin, McDonald, Huague and Bayless; and Ziontz, Pirtle, Morisset, Ernstoff and Chestnut, and the Northwest Intertribal Court System.

The topics covered included practical problems of law enforcement, jurisdiction of cases investigated by tribal law enforcement officers and cross deputization, legal aspects of prosecution in tribal courts, implementing the law in tribal courts, application of Federal criminal laws on the reservation, history of Indian fishing and hunting rights, off-reservation and on-reservation Indian fishing rights, and trends in the law and possibilities for conflict resolution.

Idaho and Washington attorneys received 10 hours of Continuing Legal Education credit and special proclamations were issued by the State's governors.

Administrative Management

Financial Statement

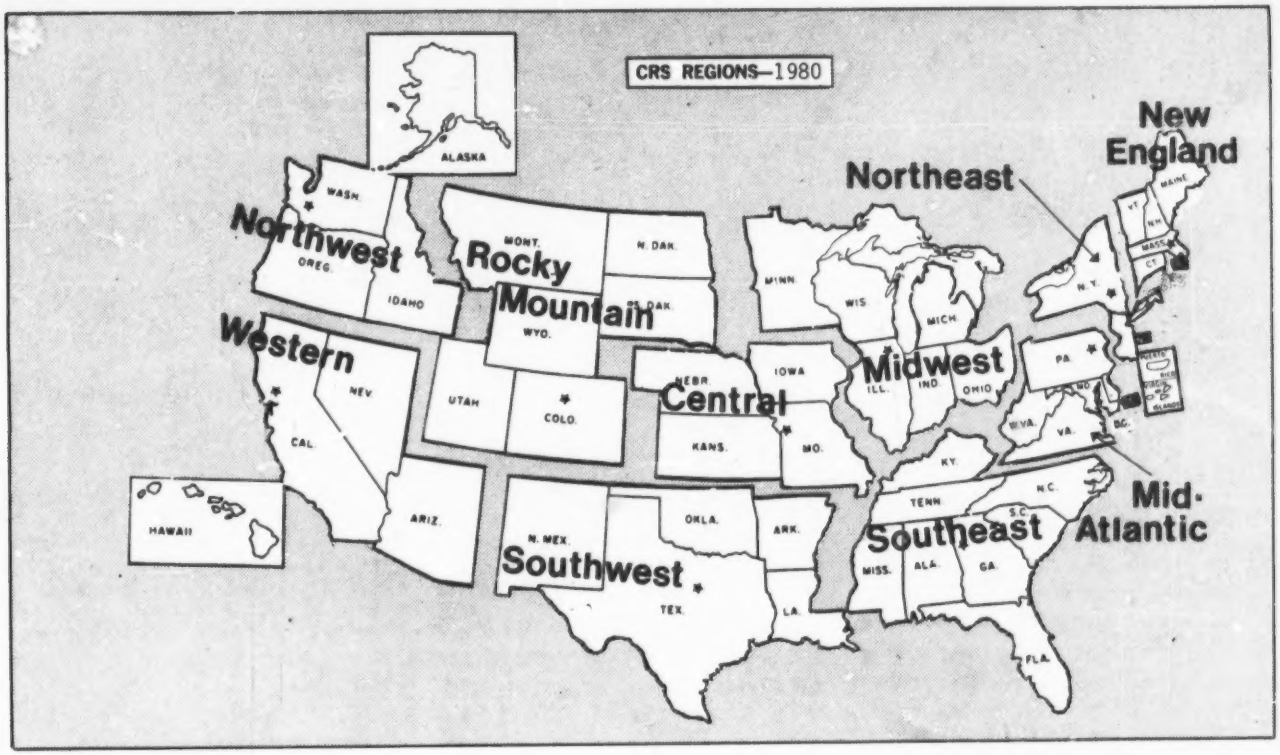
The available appropriation for Fiscal Year 1980 was $5,145,000, compared to $4,781,000 for the preceding year. Total obligations for Fiscal Year 1980 were $5,134,000 compared to $4,755,000 the preceding year.

Cost Categories

Appropriation:	
Base Year	$5,145,000
Obligations:	
Personnel Compensation and Other Benefits	$3,783,000
Travel	394,000
Contract Service	147,000
Other	821,000

CRS EMPLOYMENT BY MONTHS, OCTOBER 1979-SEPTEMBER 1980

	Permanent			Temporary		
	Professional	Clerical	Total	Professional	Clerical	Total
October 1979	82	28	110	6	9	15
November	82	28	110	6	9	15
December	82	28	110	6	9	15
January 1980	82	28	110	6	9	15
February	82	28	110	6	9	15
March	82	28	110	6	9	15
April	82	28	110	6	8	14
May	86	23	109	6	8	14
June	86	23	109	6	6	12
July	86	23	109	6	6	12
August	86	23	109	6	6	12
September	86	23	109	6	6	12



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